

## LOVERS DID NOT AGREE.

Charles Wetzell May Have Taken His Life for Love of a Girl.

Charles Wetzell, a driver in the employ of the New Jersey Farm Creamery, committed suicide shortly after midnight this morning by firing a bullet through his brain.

It is believed that his rash act was prompted by a lover's quarrel. Wetzell was the intended husband of Miss Tillie Medan, a charming young woman employed at the Hotel de Ville, and the couple had been engaged for some time. They have long kept company. Christmas was to have been their wedding day, but now the cold body of the lover lies at the morgue, and Miss Medan is sad and heartbroken.

Wetzell returned from his night route about midnight, put up his horse at the Creamery Company's barn, corner of Tenth and Market streets, and then went to his room near by presumably to retire. But he soon returned to the barn and climbed for a few moments with a policeman. He pulled a cigarette, and while puffing away at it, he seemed perfectly contented and gave out no intimation of his intention to end his life presently. It is stated, however, that he had been drinking slightly.

About 12:30 o'clock he went back to the rear of the large barn and was last seen by Victor Barker, another driver. Suddenly a pistol shot rang out, but even this did not cause any alarm.

Presently, however, Barker called to his friend and receiving no response went to the rear and searched for him. He found the dead body lying in a passageway between the horse stalls, and a revolver lying at the dead man's feet. From a bullet wound in the right temple blood flowed freely and told the tale of another discouraged soul.

The remains were moved to the morgue and an inquest will be held. As to the theory of suicide over a lover's quarrel, Barker stated this morning to a TRIBUNE reporter that Wetzell had requested him to call at 1128 Sixty-third street, in what is known as Butcherstown and there, from a tailor, secure for him his wedding suit and bring it to town.

"I was greatly surprised over Wetzell's awful act, and I have no idea what prompted it," said Barker. "His room-mate was M. G. Marcell and the two kept company with the Medan sisters."

Marcell, when questioned, said: "Wetzell came to the room about midnight with a man whom I have seen before, but whom I cannot place. He took his revolver from the bureau, and the two left. I paid little attention to it, for I supposed he intended selling the weapon. I know he loved Miss Medan very dearly, but he never told me of any quarrel. The man who called at the room with my old room-mate returned to the barn with him, but I understand he has not been seen since."

Miss Tillie Medan was also sought to shed some light on the cause that prompted her lover to end his earthly career. She left the Hotel de Ville immediately after hearing of Wetzell's death, and consulted with her sister, Mrs. P. Steinbach, at 811 Telegraph avenue. When questioned Miss Medan said:

"Surely I can shed no light on the cause of Charles' rash act. Yes, we were engaged to be married at the coming Christmas. Oh, no, I can't say that there was any quarrel. We always got along nicely. He never said anything to me about committing suicide. He and Mr. Marcell were out to see us only last Friday. No, there was no quarrel, but I am sorry of course. I do not care to discuss the matter further."

Wetzell, who was 21 years old and unmarried, is spoken of in the highest terms by all who knew him. He had been driving for the creamery about two years and was previously a hack driver. During the Spanish war he was a member of Company F.

REUTERS, Mont., Nov. 12.—Eastern friends of Senator W. A. Clark yesterday called his attention to an extended article first published in the North American of Philadelphia, and which has had wide circulation, that he is connected with the establishment of an American Monte Carlo at Chesapeake Beach, near Washington. Senator Clark brands this story as infamously false and malicious.

Yesterday he wired his Eastern attorneys to demand an immediate retraction from the Philadelphia paper and further instructed his legal representative to start proceedings unless an apology is promptly made. Mr. Clark learned today that this same article had been copied by Cincinnati and St. Louis papers.

THE BEGEROW TRIAL.

Associated Press Dispatches by The Tribune's Special Leased Wire. CHICAGO, Nov. 12.—The Begorow case is progressing rapidly, seven witnesses having been examined today. Most of those were spectators, who were at the Brower's place on July 15th last and saw the Alvin constant shot and killed. From the testimony it appears that Begorow, under the influence of liquor, was walking toward an exit of the park, with an old man in custody. Cech and Grizer were twelve or fifteen feet behind, remonstrating with Begorow for having arrested the old man. Suddenly the Constable released his prisoner, turned and fired three shots, killing both.

The most sensational testimony of the day was that of Bratt Grisel, a deputy sheriff. Grisel rescued the defendant from the crowd, which was bent on avenging the double murder, and single handed kept them off for five minutes until help arrived.

ROYALTY'S TROUBLES.

Associated Press Dispatches by The Tribune's Special Leased Wire. LONDON, Nov. 12.—The world of this city says a judicial separation between Prince and Princess Arbert of Anhalt is an accomplished fact. The paper adds that the papers were signed and the other formalities completed during the stay in Berlin of Prince Christian of Schleswig-Holstein, father of the Princess. There will not be any divorce, Prince Arbert not objecting to the course proposed by his wife.

Devery Case Dismissed.

Associated Press Dispatches by The Tribune's Special Leased Wire. NEW YORK, Nov. 12.—A special order from the Criminal Court today granted the motion of Deputy State Attorney General Hubert to dismiss the indictment against Peter Devery, charging violation of the election law.

## GENTLEMAN BURGLAR IS CAPTURED.

Was Recommended as Having "First-class Social Standing."

Electric Robber Made Some Good Hauls in This City.

To the clever crookedness of Charles French and a "pal" named Tessler is attributed the burglary committed at Kuerzel's cigar store at Eleventh and Broadway some months ago, when seventy perfect knives were stolen, also the burglar at Elton's Bazaar at Ninth and Broadway, and the job at Senleuter's Bazaar on Washington street, one being committed after the other.

To the cleverness of the detectives of this city, San Francisco and Chicago, however, is due the fact of the capture of the burglars.

French and Tessler were recently arrested at Chicago for burglary and they have been held to answer there. Their previous adventures have been closely traced, until it has now been definitely determined that they were responsible for the Oakland burglaries as well as several in San Francisco.

Detective Cody of San Francisco was in town yesterday and found a room here which was formerly occupied by French, who has been named the "celestial" safe-cracker. In a trunk Cody found three letters of introduction signed by Robert L. Barr, a San Quentin convict, and commending French to the good graces of H. M. Delano of Colorado Springs, Frank H. Hamilton, Denver, and M. E. Alexander, Cripple Creek. The letters all say, "Mr. French's social position here is unquestioned."

Through certain other articles found in the room and which were stolen from the local burglar, French's connection with the Oakland "job" is fully established. At least Chief of Police Houghton no longer questions the fact of French's connection with the local burglaries.

French is an Alameda, Cal. His folks are very respectable. Some 15 years ago he broke into a bank street jewelry store, Alameda, conducted by Mr. Strohan, and carried off valuable jewelry. Later he reported the act at a police jewelry store, and was caught almost in the act of stealing. He was at that time convicted and sentenced to San Quentin. He was released about a year ago on good behavior.

SUMMONED BY KAISER.

Associated Press Dispatches by The Tribune's Special Leased Wire. CHICAGO, Nov. 12.—A special to the Tribune from Detroit says: Baroness von Ketteler, whose husband was murdered by the Chinese in Peking, is moving slowly at the residence of her father, Henry B. Leidy, president of the Michigan Central Railroad Company. When she arrived about five weeks ago her condition was such that her relatives for a time were greatly alarmed. She is now convalescent. Friends of the family say that as soon as she is able she will cross the seas on route for the late home of Baron von Ketteler, and will be received by Emperor William, who has requested her to come.

LEAVE FRANCE.

PARIS, Nov. 12.—Giovanni Della Croce, who was naturalized in New York, in 1893, has been ordered to leave France within twenty-four hours or be imprisoned. Croce was seen by a representative of the Associated Press, and said the reasons for his expulsion were political. Being an Italian by birth, he speaks English brokenly. He has recently been dependent upon charity, seeking aid from the United States Embassy, though he contends he is about to come into a fortune. Last year he released on the intervention of the United States Embassy here.

Jesse James' Wife Dead.

KANSAS CITY, Mo., Nov. 12.—Mrs. Zerelda James, widow of Jesse James, the noted southwestern bandit, died at her home today of a complication of diseases after a lingering illness. Mrs. James was a Miss Minnis. She was born near Kansas City in 1841 and was married to James at Kearney, Mo., in 1874. They had one son, Jesse Jr., who is now in business in Kansas City. Mrs. James was with her husband when he was shot and killed by Bob Ford, one of the bandit's former pals, near St. Joseph in April, 1881.

New Navy For Spain.

BERLIN, Nov. 12.—A special from Madrid to the Frankfurter Zeitung says a representative of Herr Krupp is negotiating with the British capitalists for the construction of a company in Spain to build ironclads and manufacture cannon.

## IDAHO MAN KILLS BOTH ASSAILANTS.

He Proves Himself an Expert With a Revolver.

Drops Two Men Who Were Hunting Trouble.

Associated Press Dispatches by The Tribune's Special Leased Wire. WALLACE, Idaho, Nov. 12.—About 1 o'clock this morning Dick Adams shot and killed William Kennedy and Daniel Kilde in a dance hall at Gen. Early in the evening Kennedy had been abusing Adams, and the latter told him to move on and leave him alone. At 1 o'clock Kennedy and Kilde came into Wilson's saloon. Kennedy with a revolver down his pants' leg and a Winchester rifle across his arm, and Kilde with a revolver, and asked for Adams.

As they started through the archway from the saloon to the dance hall they met Adams and Kennedy started to raise his rifle. Adams instantly drew a revolver and shot twice, striking both men in the head. He then went to Wardner and gave himself up.

AL WILLIAMS' TRIAL.

STOCKTON, Cal., Nov. 12.—The trial of Captain Al Williams, charged with the murder on August 18th last at the Hot Mineral Baths, south of Stockton, of Conductor William Martin, began in the Superior Court today before Judge Jones. The work of securing a jury is proceeding without difficulty, and at the noon hour today ten had been sworn.

The defendant's wife and also his ex-wife, Mrs. Stella Williams, also Mrs. Martin, widow of the deceased conductor, were in court. The prominence of all parties concerned brought a large crowd of spectators to the courtroom. It is expected that self-defense will be the plea, together with aggravating circumstances.

ENGINEERS STRIKE.

INDIANAPOLIS, Nov. 12.—Yesterday the Indiana coal operators declined to accept the Illinois scale, because of the increase of wages, but offered to maintain the present scale until the convention of mine workers at Indianapolis met in January, at which the question of paying the Illinois scale to miners will be considered.

As the result of the failure of this conference and the instructions issued by Chief Taylor of the Engineers' Brotherhood the mining industry is today except in a few places where the holding engineers refused to obey the order of their labor organizations.

AFFAIRS AT TIEN TSIN

TIEN TSIN (undated), via Shanghai, Nov. 12.—The Russians have ordered the engineers in the railway station at Tientsin to vacate the buildings, and the British have sent there a company of infantry and a battery of Bombay cavalry, ordering them to remain and inspect the property.

A dispatch from Tien Tsin dated November 9th says as a result of British representation to the Russian government, Russia is only holding over the railway between Tien Kiu and Peking to Field Marshal Count von Waldersee, who will give it up to the British owners.

K. OF L. CONVENTION.

BIRMINGHAM, Ala., Nov. 12.—The annual convention of the Knights of Labor of the United States and Canada is in session in this city today. At the adjourned meeting of the order in Washington last June the executive board attempted to oust George W. Hays, the secretary-treasurer. The effort resulted in a split. It was stated today that every lodge sending delegates would be recognized and that there would be no interference with the convention.

THE EMPRESS AN EXILE

PERKING, Nov. 11 (via Shanghai, Nov. 12).—Another small German expedition goes north tomorrow, in spite of the fact that these punitive raids are strongly criticized here as serving no good purpose.

Reports of the death of the Dowager Empress are persistent, though there is no official confirmation of them, commingling with the court being very irregular. There is a growing belief, however, that she will never return to Peking.

Ranger Sails.

SAN DIEGO, Nov. 12.—The United States survey steamer Ranger sailed from this port this morning on a seven months' cruise to La Paz and the Gulf of California.

## OPERATORS' BIG STRIKE ADJUSTED.

Valley Road Employees All Walk Out at Noon.

Trouble Fixed Up and Men Wait Orders to Return.

Associated Press Dispatches by The Tribune's Special Leased Wire. STOCKTON, Cal., Nov. 12.—O. H. Lehner, local superintendent of the Valley division of the Santa Fe, states that all the operators at intermediate points along the line struck at noon today, though the operators at main stations were still working.

Shortly after noon, so Mr. Lehner stated, a telegram had been received to the effect that the matter had been adjusted and that the operators were awaiting for orders to return to work.

AT LOS ANGELES.

LOS ANGELES, Nov. 12.—A strike was ordered on the Santa Fe system this morning, involving all the telegraph operators west of Albuquerque and including those in the employ of the Southern California and San Joaquin Valley roads. The strike, however, was of short duration, for within thirty minutes of the first order, which emanated from the General Committee of the Brotherhood of Railroad Telegraphers at Chicago, there came a second order directing the men to resume work.

No details are obtainable at this end at present, but it is presumed that concessions were made to the brotherhood to call the strike off. The duration of the strike was so limited that so far as known none of the men actually left their keys.

RUINED BY EMPLOYEE.

Associated Press Dispatches by The Tribune's Special Leased Wire. NEW YORK, Nov. 12.—Grant Bros., members of the Stock Exchange of this city, have assigned to F. C. Steinhilber, the assignee says that the firm has been inactive and for the last few months has been winding up its affairs. He felt sure that the liabilities would be below \$100,000, and probably less than half that sum. Grant Bros. were prominent on the Exchange several years ago, when the head of the firm was James Grant. The family is said to have made a fortune in the metal trade.

It is reported the firm's assignment was precipitated by the default of a trusted employee, who is alleged to have taken from \$25,000 to \$75,000. The name of the man is withheld, and Mr. Steinhilber, the assignee, refuses to confirm or deny the report.

BOER SKIRMISHES.

Associated Press Dispatches by The Tribune's Special Leased Wire. LONDON, Nov. 12.—Under date of Johannesburg, November 10th, Lord Roberts telegraphs to the War Office as follows: "Boer reports continue to come in from the north, and the Boers are still active in the Transvaal, Orange and Vaal districts recently. The command appears to be acting independently and with no object except to stir up trouble and cause as much damage as possible to the railway. Our casualties in these skirmishes were two killed and seven wounded."

"Douglas arrived at Ventersburg Nov. 11th with 200 men, capturing during the march three ox-wagons, and a quantity of cattle and sheep. The Boers, which have been a depot of supplies for the Boers, will not be cleared out."

PLAGUE IN EGYPT.

Associated Press Dispatches by The Tribune's Special Leased Wire. CAIRO, Nov. 12.—Two fresh cases of typhoid plague are reported in Alexandria.

Election Riot Victim.

DENVER, Colo., Nov. 12.—Houston Jackson, a colored Deputy Sheriff, who was shot in the chest and killed in this city, is dead. This is the third death resulting from the riot.

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## BRUTALITY OF THE RUSSIANS.

Thousands of Chinese are Butchered By the Czar's Soldiers,

LONDON, Nov. 12.—The Globe this afternoon publishes a letter from a Tibetan gentleman, who has been traveling to Peking via the Trans-Siberian Railway. He describes under date of September 6th what he saw in the Amur river. His accounts surpass in horror those previously published. "The scenes I have witnessed during the time since I left Blagovetchensk, he said, 'are horrible beyond the powers of description. It is the closing tableau of a fearful human tragedy. Two thousand were deliberately drowned at Morzo, two thousand at Rake and eight thousand around Blagovetchensk, in total of 12,000 corpses encountered the river, among which there were thousands of women and children. "Navigation was all but impossible. Last week a boat had to plough her way through a tangled mass of corpses lashed together by their long hair. The banks were literally covered with corpses. In the curves of the river a few dark patrid masses of human flesh and bone. "The captain vainly ordered full speed ahead. The slight and small will be ever with us."

## PLAN NEW DISTRICTS.

Senator Cutter's Bill Will Make Many Changes in the State.

Associated Press Dispatches by The Tribune's Special Leased Wire. LOS ANGELES, Cal., Nov. 12.—According to the plans of Senator Cutter of Yuba and the colleagues on the Republican State Committee, Los Angeles county will after 1902 constitute an entire Congressional district to itself. A new bill redistricted the State has already been prepared for presentation at the next session of the Legislature. The proposed act also provides that the representation of Los Angeles county in the Legislature shall be increased to four Senators and eight Assemblymen, as against three Senators and five Assemblymen under the present distribution. The Sixth Congressional district will consist of Los Angeles county alone; the Seventh will take in Kings, Tulare, San Luis Obispo, Santa Barbara, Kern, San Bernardino, Orange, Riverside and San Diego. (Under the proposed new bill Alameda county will have another Assemblyman, making the delegation number seven instead of six as at present.)

KILLS BOTH PARTNERS

Louisiana Business Quarrel Ends in Tragedy.

BONITA, La., Nov. 12.—Juba Williams, P. F. Williams and P. S. Bates, partners in a store here, quarreled over a settlement of their affairs and in a fight that followed Bates killed both of his partners.

FARMERS AWAIT RAIN.

LOS ANGELES, Nov. 12.—Following the Weather Bureau's weekly report and climate bulletin for the week ending November 10th: The past week was a repetition of the one previous, characterized by continued hot weather, an entire absence of rain, and desert winds, which rapidly dried the soil and caused a heavy demand for irrigating water.

Dry plowing and some seeding is being done in places, but farm work generally is at a standstill and farmers are waiting for rain to break the drought and prepare the ground for working. The season's fruits are advancing rapidly to maturity; some packing of oranges is being done.

VICTOR H. METCALF TO LEAVE FOR WASHINGTON

Congressman Victor H. Metcalf will leave on the 21st of this month for Washington, D. C., where he will take up his duties for the term of the Arlington District. The session of Congress will begin Monday, December 2, and continue until the 15th of March of next year. Mr. Metcalf has outlined a great deal of work to be performed by himself at the Capitol for people in all sections of this Congressional district, and expects to accomplish a great deal more than he did during the last term of Congress.

EMERGENCY RATIONS.

Associated Press Dispatches by The Tribune's Special Leased Wire. WASHINGTON, Nov. 12.—Captain Foster, who has been in the Indian territory testing the emergency rations for the United States army, telegraphs Acting Commissary General Watson that he has just returned from making the test of the rations prepared by the board of Army officers and the test was highly satisfactory. There are two rations manufactured by supply commissions yet to be tested, and it probably will be some time before the result is known.

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Our artistic taste, which has never been questioned—together with our immense stock of mouldings and ready-made frames, gives us a superiority in this department that we are justly entitled to.

We have been obliged to increase our force of men in the framing shop during the last few days and can execute all your orders with our usual promptness and efficiency.

## SMITH BROS.

Booksellers Art Dealers Stationers  
Thirteenth and Broadway

## COMMISSION MEN MAKE PROTEST.

Say Peddlers are Injuring Their Business All Over Town.

The commission men on Eleventh street and elsewhere in various parts of Oakland are complaining against what they call an unscrupulous deception of the people and a wrong to themselves, which is being perpetrated, they say, by a crowd of peddlers who pretend to be farmers and who do not hesitate to libel local merchants in the attempt to dispose of their produce.

It is estimated that there are about a dozen of these gangs in this city. Each of them has a rickety old wagon, intending to represent a farm vehicle, which has long been used in the business. In the wagon are piled sacks of potatoes, while the seat contains two and sometimes three and four men who affect the dress of farmers and offer their potatoes at prices so low that, in the generality of cases, a sale is made without much effort.

It is claimed by merchants that these potatoes are what are known as "river potatoes," soft, mushy and unwholesome and that they would be dear at any price. When potatoes are raised at 20 cents and \$1.15 per hundred, these river potatoes may be sold for forty, fifty and sixty cents per sack.

Some customers have asked these alleged cultivators of the soil why they do not sell the potatoes to the commission men if they can afford to sell them at so reasonable a rate and have been answered that the so-called farmers have sold as many as 100 sacks of potatoes to some commission men and have not been able to collect for the same. Commission men say that such is not the case.

It is charged in this connection that some of these bogus farmers libel local people with some of the titles of confidence men. One of these titles, which is most used, is known as the "ring game." The faker, when dealing with a lady customer, stive drops on the street a brass ring, which has been polished to imitate gold. He then picks up the ring, and on being informed by the woman that it is not hers, says:

"What'll you give me for it? I don't want it. It looks as if it might be gold."

The lady says she doesn't want it.

either, whereupon the faker declares: "Let me have fifty cents and you can take the ring. I don't want to bother with it."

The woman gives up the money and eventually finds that she has purchased a ring of a kind which would be dear at fifty cents a hundred.

## STRIKING MILL MEN GAIN ANOTHER POINT.

The striking millmen have achieved another victory in the matter of preventing the incorporation of mill work which they consider unfair in structures on which trades union men are employed. Material of this kind worked into window frames at a planing mill was delivered, a few days ago, at the new brick market on Thirteenth street, between Washington and Clay streets, where the carpenter work is being done by Contractor Dingwell. This fact was discovered by Business Agent Kerns of the Building Trades Council. About the same time it was discovered that window frames from the same mill were being delivered at the northwest corner of Broadway and Tenth streets to be incorporated in the enlarging and modernizing of the store at that corner which is being prepared for the occupancy of Keller & Fitzgerald.

Immediately the carpenters, all of whom were union men, were called off both jobs. The work has remained in statu quo until this morning, when the objectionable material was carted away. Contractor Dingwell refusing to use it. The union carpenters then resumed their labors and the two jobs will be rushed to completion without the employment of people or material opposed by striking millmen and union men.

## INFANT'S SUDDEN DEATH FROM GRAMPS.

Marie A. Knopke, the 18-month-old daughter of Joseph and Sophia Knopke, died very suddenly this morning at their home in Upper Fruitvale. The child was well and happily last night, and early this morning was seized with a cramp and died before a doctor could be summoned. An inquest will be held tonight.

## REPUBLICAN COMMITTEE TO HOLD MEETING.

The Republican County Central Committee will meet at 8 o'clock Saturday afternoon to close up the affairs of the committee and make arrangements for participation in the festivities attending the transfer of the banner to the city actors the day.

## Texas City Burned.

WICHITA FALLS, Texas, Nov. 12.—The Wichita mill and elevator Company's elevator and warehouse were burned last night. Loss, \$150,000. Insurance on plant and grain, \$400,000.

## Died of Consumption.

Louisa Garcia Stewart, aged 31 years, a native of the Azores, died at her home in San Leandro yesterday. Death was due to consumption.

## ADAMS MAKES AN EXCELLENT EXPERT

Gives Hayne Facts and Figures About the Water Company's Plant.

The whole question of municipal water supply was subjected to a searching and luminous analysis in Judge Hayne's court room yesterday. If municipal bodies could hear the question discussed so thoroughly by a man so clear-headed and so familiar with his subject as Engineer Arthur L. Adams there would probably be few disputes in the regulation in the water rates to perplex the public mind and create false issues in local politics.

Mr. Adams is more than engineer, more than expert in municipal water supply; he is a keen business man with the gift of making plain the knottiest questions. His comprehensive grasp of the whole question and his consummate mastery of the entire range of details embraced in the construction and financing of water plants for municipal supply is supplemented by a convincing candor.

A CLOSE REASONER.  
Mr. Adams was especially clear upon two points which have been the most confusing factors of the water problem. During the period from 1868 till 1886, which may be said to be the construction period of the old Contra Costa Company, he figured out a net loss of \$200,000 over all receipts from water rentals and the sale of stock and bonds. Either this sum must be charged to the capital account or lost entirely to the investors. This sum he placed to the credit account of a growing plant, or, in other words, the incidental expense of placing a plant in successful operation. Otherwise the company would be compelled to accept rates fixed on a valuation half a million less than the amount actually invested in the enterprise.

A CLEAR PROPOSITION.  
His second proposition that the rates should make two per cent allowance for annual deterioration was made exceedingly clear. "This annual deterioration must be paid for out of current rates or must represent shrinkage of capital invested. A third way is to make no provision for it but to charge the loss to capital account. The second proposition he pointed out without so designating it would involve a confiscation of that part of the investment represented by the perishable portions of the plant.

The third resource would present the anomaly of a capital account decreasing in the same ratio of deterioration. As the plant became less valuable the rates would become higher. He explained that the average life of all the perishable portions of a plant being figured out approximately, an annual allowance of two per cent in fixing rates must be made to provide for replacement, and this way the investment would be kept intact and the plant kept up to standard requirements.

Mr. Adams proved his valuation by two different methods—one direct and the other indirect. The latter gave an excess over the former by \$200,000, but the difference is very nearly offset by real estate valuations not comprehended in the former. In his direct estimate, Mr. Adams excluded from his calculation the perishable sink which is not now used as a source of supply, and all other lands not embraced in the Temescal and San Leandro water sites. He valued the 5,600 acres adjacent to the San Leandro reservoir at \$200,000 for watershed purposes, exclusive of other uses which would not conflict with its use as a water shed. His computation as to actual work is on the present day basis, although he admitted the true only correct way for municipal purposes is the money actually invested in it, as it is the increment that population brings to other properties. He appraised the water at San Leandro at 12.50 per miner's inch of four inches pressure, and the artesian water of Alvarado at \$1.50 per inch, the difference being made by the cost of pumping the latter.

BASIS OF WATER VALUES.  
This morning Mr. Adams said the value of water was to be determined by two factors: One was the cost of water at the nearest available source of supply, and the second the ability of the consumers to pay. These had to be taken in conjunction. He had examined the region adjacent to the San Leandro and other sources of supply of the Contra Costa Company in company with Colonel George H. Mendell.

Hayne objected to his stating Mendell's opinion, and Mr. Adams said that in his judgment the valuation he placed on the San Leandro reservoir was not in excess of the cost of duplicating the supply. The price of water available here, he valued at \$2.50 per inch was a little over 3 cents per 1,000 gallons, which, according to his experience in California was not an excessive price. His investigation as regards other systems all went to confirm this conclusion.

## RATIO OF RECEIPTS TO INVESTMENTS.

Going back to the twenty-four plants reported on in the government reports Mr. Adams said the ratio of gross receipts to capital invested showed a minimum of 5.1-10 per cent and a maximum of 22.6-100 per cent, the average being 9 per cent.

"Must be a trust," interjected Hayne. "As I stated before to seventeen of these plants belong to municipalities which can borrow money on bonds much cheaper than any private corporation," continued Mr. Adams, apparently not noticing the interruption.

## COST OF PRODUCTION.

During the past thirteen years the average cost of production, which embraces interest and the expense of operation, was \$12,600, which only allowed an average interest on the investment of 3.74-100 per cent. This calculation excludes the years from 1884 to 1894, inclusive, these being the years in which the Contra Costa and Oakland

companies were in active competition and confessedly losing money. His calculation covered every detail of the cost of operation, interest on bonds, necessary repairs and taxes and 1 per cent on the capital invested as a sinking fund to meet the annual deterioration of two per cent on the perishable portion of the plant.

## BASIS OF VALUATION.

"What is the basis of your valuation of municipal water plants?" asked McCutcheon.  
"The purveying of water in a modern city must be regarded as a positively necessary function upon which the welfare and the very existence of the community depends. This service must be for the good of the public and be performed by some individual or association of individuals, or by the community itself regardless of how great the necessary expense."

"It is therefore self-evident that a populous, prosperous community can always afford to pay, and that the party or parties supplying such a community are entitled to receive, a rate of compensation that will always be sufficient to meet all operating expenses, pay taxes, sustain a maintenance or renewal fund sufficient to protect the capital invested, and pay a rate of interest on the necessary investment commensurate with the risks involved."

"Take the witness," said McCutcheon.  
"I have felt the force of this impressive statement and brace myself for my encounter with this formidable witness."

In response to his question Mr. Adams again stated that he had made his estimate of the value of the property by two independent methods. One was by computing the receipts from stock and bond sales and the water rentals and deducting the cost of operation, taxes and incidental expenses. The other was by estimating the cost of duplicating the supply from the nearest available source of supply. The result arrived at by the different methods are slightly dissimilar, but substantially agree.

## THE SELLING VALUE.

"You speak of the selling value of the plant," said Hayne. "Is not the selling value determined by the amount of compensation?"

"Then if the rate of compensation be expanded will not the property sell for a higher price?"

"Not in California. There is no certainty that high rates would be maintained. The Council may at any time cut them down, hence the selling value cannot be artificially enhanced."

Hayne asked a few more questions all pointing to his favorite proposition that the valuation is simply the arbitrament of the existing Council, but the witness explained that property values could not be determined on any such basis. A property costs something to create. Fluctuation in values is the result of natural causes, which are absent in this case. Unless there is a decline in the business and population of the municipality there can be no decline in the value of a municipal water plant.

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"What do you mean by limited in time?"

"The franchises of water companies are limited by law. If you make an investment in which you can obtain a return for five years it is not worth a return for fifty years. The investor in a municipal water plant is entitled to a fair rate of interest on the capital invested from the beginning and a return of his capital at the expiration of the franchise."

## ADAMS RAFFLES THE LAWYER.

The engineer's reply did not suit the lawyer, and he objected to the witness looking at his report while answering. Judge Hayne is looking at a copy of the report," said McCutcheon, and is reading from it in framing his questions. It is only justice to the witness that he be allowed to look at the report, and Hayne tends from the report and insists upon the witness answering these intricate propositions from memory."

## A CLOTHES DISTINCTION.

Hayne suggested that there was no difference between having a water plant constructed and a suit of clothes made.

"Your suggestion is a fallacy," said Mr. Adams. "They do not represent the same thing or the same principle of purchase. One is permanent, or should be, and the other perishable. A water plant requires years to construct, is a matter of growth—gradual construction. As the city grows the plant grows, the expansion being in rate, growth and requirements of the city."

## Hayne suggested that the value of a partially worn suit of clothes could be

likened to a water plant that had been long in use—that the latter was only worth what it would cost to reconstruct it at the present time.

"It would not be fair," said Mr. Adams. "It would not be equitable in any sense. The works were constructed from time to time as the needs of the city required, and under conditions which made them far more expensive than they would be now. Labor, materials, interest and taxes were higher and every element of cost was greater."

"But why should the plant be valued at more than it would cost to build it today?" persisted Hayne.

"It speaks for itself. It would deprive the investors of a large portion of their investment and all hope of any return on it, and thereby take into account the natural increase in value that comes from the operation of the law of supply and demand."

## COMPETITION AS A RISK.

Hayne then asked a hypothetical question touching the effect of competition.

"Would not the invasion of the field of one water company into another water company have the effect of decreasing the value of its plant by depriving it of a portion of its income?"

"Unquestionably. It is one of the risks that must be taken into account in the valuation of the water plants for income purposes. Extra profits must be provided for in future years and a percentage must be allowed for such risks or casualties."

"Suppose the municipality constructs water works of its own to supply one-half the territory heretofore supplied by the company, would not the valuation be depressed, even if the same rates be maintained?"

"It would, but then would rest a moral obligation not to fix rates on a basis that would destroy the value of property created as a necessity to the public. If a company constructs a system sufficient to supply a whole city, it is entitled to a fair return on the investment. There is an implied contract that the city is morally bound to respect."

## COMPARATIVE TABLES OF REVENUE.

In the afternoon Engineer Adams was again placed under cross-examination. His table of revenue as compared to interest on investment since 1886 is as follows:

Average value of property during thirteen years	\$4,211,000
Average annual expense for operation, taxes, etc.	\$8,000
Ratio of annual expense for operation, taxes, etc.	2.22%
Annual expense for operation, taxes, etc., omitting years 1894-98	\$94,500
Ratio of annual expense, omitting years 1894-98	2.70%
Average annual total cost for thirteen years	\$432,250
Ratio to average of property value	10.12%
Average of annual total cost of production, omitting years 1894-98	\$435,773
Ratio of total annual cost of production	10.25%
Average annual gross revenue for thirteen years	\$397,020
Ratio of annual gross revenue to total value of property for thirteen years	9.36%
Average annual gross revenue, omitting years 1894-98	\$357,608
Ratio of annual gross revenue to total value of property, omitting years 1894-98	8.36%
Average interest earned on property value for thirteen years	3.74%

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"Then you made your estimate on the basis of this general average?"

"With this exception: I made allowance for construction by piecemeal. This is more expensive than if you let a contract for the whole work at one time and had it all done at once. This construction covers a period of many years, and there were doubtless many changes of plans and some alterations in the work itself."

## A CATCHMENT QUESTION.

"Is not the water in San Leandro Lake catchment water?" asked Hayne.

"I don't know that I fully understand your question."

"It is not a fact that there is no water-recourse to speak of, but the water comes from the heavens."

"But is there not a difference between the water that falls from the clouds and water that runs in streams?"

"All water flows from the clouds," replied Hayne, and a titter ran around the court-room.

"But do not engineers make a difference between water that runs off the ground and is caught in a reservoir and water that percolates through the soil and runs out again in streams?"

Witness said there might be a chemical difference, but the only other question involved was the best method of impounding.

## Yesterday's Proceedings.

When THE TRIBUNE went to press yesterday Engineer Adams was still on the witness stand.

Mr. Adams said unless the rule of averages were adopted, the case would be constantly fluctuating and the rate-payers of one year would have to pay the water bills of rate payers in previous years. One generation would have to pay the debts of a past generation, and rates could never be fixed on a uniform basis.

## MADE ANOTHER CALCULATION.

Mr. Adams said he had made another calculation based on the statements of income and expenditures filed with the Council. The investment prior to 1886 was \$2,556,222. Adding the subsequent expenditures on the plant exclusive of operating expenses brings up the total to \$7,254,527, making a difference of \$200,225 between the two methods of computation. Mr. Adams said a part of the difference might be ascribed to the purchase of the lands at Pinastanton which he had not included in his original estimate. The cost of duplicating the construction work of the San Leandro reservoir he estimated at \$564,492.

"You assumed it?" asked Hayne.

"No, I examined it. I made my own estimate from a personal inspection." McCutcheon asked what the 10 per cent allowance for contingencies meant.

"For those unexpected expenses which attend every construction enterprise that no man can foresee. All engineers figure in a certain percentage for contingencies. Men may be hurt, entailing the payment of heavy damages, and there is no other way to be set for contingencies."

"I made my estimate of what the system as it stands has cost the Contra Costa Company. That is the only real measure of its value. Every engineer knows that almost any plant of this kind can be reproduced for less money than the original cost of construction, because there is nothing to do but follow an exact pattern, while a new en-

# \$10.00 EASILY MADE

The Following Letter is Self-Explanatory:

San Francisco, Oct. 27, 1900.  
Messrs. Salinger Bros., Oakland, Cal.

Gentlemen—We are instructed by Messrs. A. Hamburger & Sons of Los Angeles, to advise you that they are the owners of the trade marks "Ebell and Elk" as applied to shoes, and that they are advised that you are infringing upon their rights to such trade mark. We are instructed that unless you desist at once from the use thereof, to bring suit to protect their rights. Trust you will advise the discontinuance, thereby saving cost and expense.

Yours very truly,  
Rothchild & Ach,  
Attorneys-at-Law.

In connection herewith we desire to state—that we must adopt a new name for our Ebell Shoe, one that will merit its sterling qualities; in order to secure such we hereby offer a reward of TEN DOLLARS to any one suggesting the best feminine name of not more than two syllables. The one winning the above reward, will be published in our advertisement in next Sunday's Examiner.

Address all communications,

## SALINGER'S SHOE DEPARTMENT

In addition to the above we desire to inform the public that the above shoe is exclusively for Ladies. Comes in ten different styles, and is positively the best shoe in the market the selling price of which is \$2-50.

All communications must be mailed by Thursday Evening.

## SALINGER'S DEPARTMENT STORE

11th and Washington Streets

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## PLEASANT NEWS

TO THE

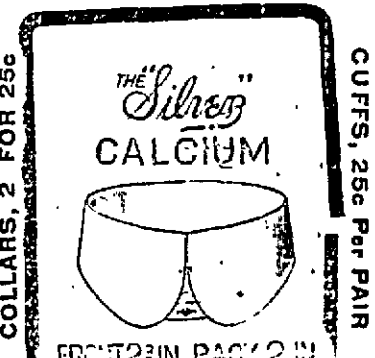
## Ladies

OF OAKLAND AND VICINITY  
TAILOR-MADE  
SUITS AND GOWNS

The latest Eastern and Parisian styles, made to fit you by experienced Lady Tailors (men). We respectfully invite you to inspect our elegant line of cloths and styles just received this week. Our prices are as consistent as possible according to selection. Every garment superbly finished.

## DAVE PEYSER

LADIES TAILOR  
988 WASHINGTON ST.  
Between Ninth and Tenth



GEO. P. IDE & CO., Makers  
PACIFIC COAST BRANCH  
529 MARKET ST., SAN FRANCISCO



## Thanks-giving. TURKEY

## BEEM'S City Market

PRODUCE, POULTRY AND GAME  
529-531 Thirteenth St., Oakland  
Between Washington and Clay sts.

## NOTICE.

Haywards, Nov. 12, 1900.  
C. Villa & Son, having purchased the vegetable business of L. Villa & Son, a full and complete list of the goods and prices is hereby given that all money due or payable by the former firm should be so arranged with C. Villa & Son.

## Too Late for Classification

MASON-HAMILL ORGAN chandel case, nearly new, for sale cheap, or will trade for chickens. Box 61, Fruitvale, B. O. X.

WANTED—A neat girl for general housework; plain cooking, small family; wages \$12.00 per week.

WANTED—Girl or woman for general housework and cooking; small family; wages \$12.00 per week.

FOR RENT—November 1st, on Broadway and 14th St., ladies' gold watch, 6000 ft. high, the same by calling at this office and paying expenses.

UNFURNISHED—Nice modern house, 7 rooms, reception hall and bath, convenient to local and two car lines; \$25.00 weekly; key at 122.



**Pears'**  
Only they who use it  
know the luxury of it.  
Pears' is the purest and  
best toilet soap in all the  
world.







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**LEGAL**

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**NOTICE.**

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**State and County Taxes for  
the Year 1930.**

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**STATE AND COUNTY TAXES FOR  
the year 1930.**

To all taxpayers in the county of Alameda, State of California.

Notice is hereby given that the undersigned, Tax Collector of the county of Alameda, State of California, is in receipt of the assessment book of said county of Alameda, and that in accordance with the provisions of Section 316

Notice is hereby given that the assessment book for State and county taxes for the year 1930, on all property within the county of Alameda, has been received by me, and that the taxes as shown by said assessment book are now due and

of Oakland, county of Alameda, State of California, every day (except legal holidays) during office hours, after the following: In October, 1920, and on the following:

It is due on all personal property secured by retail purchase and one-half of the taxes on all real property in the said County of Alameda, will be due and payable on the

**SECOND MONDAY IN OCTOBER IN**

**THE YEAR 1920.**

At my office in the Court House of said Alameda county, situated in the city of Oakland, in said county, every day (not a holiday) during office hours as fixed by law, and will be delinquent on the

**LAST MONDAY IN NOVEMBER, 1920.**

At 6 o'clock P. M. of said day, and that unless paid prior thereto, fifteen per cent will be added to the amount thereof, and one-half be not paid before the last day of April, 1921, five per cent will be added thereto

And notice is further given that the redemption of said taxes on all real property in said Alameda county for the year 1920 will be payable to the undersigned, Tax Collector of said Alameda county, as aforesaid, in the office of the Tax Collector, as aforesaid, and after the first Monday in January, 1921, and will be delinquent on the

**LAST MONDAY IN APRIL, 1921.**

At 6 o'clock P. M. of said day, and that unless paid prior thereto, five per cent will be added to the amount thereof.

Notice is further given that all taxes may be paid at the time of the first installment, as herein provided, is due and payable.

And notice is hereby further given that in accordance with said Section 476 of the Revenue Code of the State of California, and after the second Monday in October, 1920, all the taxes, whether first or second installment, before delinquency thereof, or if delinquent, together with the percentage added thereto as is above set forth, may be paid to me at my office, as aforesaid, during office business hours, as aforesaid, and after said

**SECOND MONDAY IN OCTOBER, 1920.**

And upon such full payment being made full receipts for the taxes, both first and second installments, will be given in accordance with law.

Dated at Oakland, California, this 8th day of October, 1920.

**JAMES B. BARBER,**  
Tax Collector of the County of Alameda,  
State of California.

**Order to Show Cause.**

In the Superior Court of the County of Alameda State of California.

In the matter of the estate of John Cummins, deceased.

It appearing to this Court, by the verified petition this day presented by

executor and executrix respectively of the last will and testament and codicils thereof of John Cunningham, deceased, and as the executor to carry out to the whole of the real estate of said decedent to pay the debts of decedent and the expenses and charges of administration.

It is therefore ordered by this Court that the said John Cunningham, deceased, appear before the said Superior Court on Monday, the 10th day of December, at 10 o'clock of the forenoon, to be paid any at the court-room of Department 4 of said County, at the County House in the City of Oakland, County of Alameda, State of California, to show cause why an order should not be made for the payment of the said

W. H. LANGDON, Attorney for Plaintiff,  
Attorney, Parrott Building, San Francisco.

**Trustee's Sale.**

Notice is hereby given that default has been made in the payment of the indebtedness secured by and in pursuance of the covenants contained in that certain deed of trust made by L. T. Hovers to the Trustee of the First National Bank of St. Louis, dated the 6th day of November, 1930, and recorded in the office of the County Recorder of Alameda county, California, in book 10, page 14 thereof, and that upon the application of Safety Mutual Building and Loan Association, a corporation, duly licensed to sell real estate by order of a resolution adopted by its Board of Directors on the 15th day of September, 1931,

steps of the Court House of the county of Alameda, on Broadway, in the city of Oakland, county of Alameda, State of California, will pursuant to said deed of trust sell at public auction to the highest bidder, for gold coin of the United States, that certain real property which is mentioned in, and conveyed by said deed of trust, and which is situated in the town of Berkeley, county of Alameda, State of California, and is more particularly de-

Beginning at a point on the southern line of Ward street, distant thereon one hundred and sixty (160) feet easterly from the point of intersection of the southern line of Ward street with the eastern line of Grant street (as said streets are delineated on the map hereinafter referred to) running thence easterly along the southern line of Ward street forty (40) feet

and parallel with the southern line of Ward street forty (40) feet; and thence northerly and parallel with the eastern line of Grant street one hundred and thirty-five (135) feet to the point of beginning. Being lot No. 22 of block No. 2 of the Grove street line tract, Berkeley, as appears by map filed February 20 1886, in the Recorder's office of said county of Alameda.

Terms and conditions of sale: Cash down gold coin of the United States; ten (10) per cent of the purchase price to be paid on the fall of the hammer; balance on delivery of deed; if such balance to not be paid, then said 10 per cent to be forfeited, and the sale to be null and void.

Safety Mutual Building and Loan Association, a corporation (being the owner of the indebtedness secured by said deed of trust) may purchase at said sale.

Act of sale at purchaser's expense.

Dated San Francisco, October 5th, 1906.

STENCER C. BUCKBEE, Trustee.

MARRY DUBROW, Trustee.



Tel. Brown 571. Reference: Taft & Pennoyer.